

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF
AMERICA,

Plaintiff,

vs.

MAHLANI KATAYA RED
EAGLE, *aka Mahlani Dupree*

Defendant.

Case No. CR-18-98-GF-BMM-JTJ

FINDINGS AND
RECOMMENDATION
CONCERNING PLEA

The Defendant, by consent, has appeared before the undersigned pursuant to Fed. R. Crim. P. 11 and has entered a plea of guilty to the charge of Possession with Intent to Distribute Methamphetamine in violation of 21 U.S.C. § 841(a)(1), as set forth in the Indictment. Defendant further agrees to the forfeiture of property as described in the forfeiture allegation in the indictment. After examining the Defendant under oath, I have made the following determinations:

1. That the Defendant is fully competent and capable of entering an informed and voluntary plea to the criminal count charged against her, and an informed and voluntary admission to the allegation of forfeiture;

2. That the Defendant is aware of the nature of the charge against her and consequences of pleading guilty to the charge,

3. That the Defendant understands the allegation of forfeiture and the consequences of admitting to the allegation;

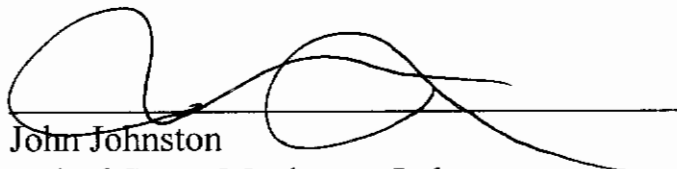
4. That the Defendant fully understands her constitutional rights, and the extent to which she is waiving those rights by pleading guilty to the criminal count charged against her, and admitting to the allegation of forfeiture;

5. That both her plea of guilty to the criminal count charged against her and her admission to the allegation of forfeiture are knowingly and voluntarily entered, and are both supported by independent factual grounds sufficient to prove each of the essential elements of the criminal count charged and the legal basis for the forfeiture.

Therefore, I recommend that the Defendant be adjudged guilty of the count in the Superseding Indictment. I further recommend the agreed forfeiture be imposed against Defendant.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the presentence report.

DATED this 16th day of January, 2019.



John Johnston
United States Magistrate Judge